

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

L-W AUBURN CO., a California
general partnership,

Plaintiff,

v.

HOLLINGSWORTH LOGISTICS
GROUP, a Michigan limited liability
company,

Defendant.

CASE NO. 2:23-cv-51

ORDER

The Court raises this matter on its own accord. The Court has denied the parties' request to continue the trial deadline and resisted their attempts to nibble away at other deadlines. The Court construed the parties' latest motion proposing an enlarged briefing schedule for cross-summary judgment motions as another play for more time and denied it because it impermissibly shortened the Court's time to consider the motions after they became ripe. Dkt. No. 75 at 4; *see* Chambers Procedure 5.8 ("All briefing must be complete and ready for the Court's consideration consistent with the dispositive motion deadline on the case schedule.").

1 The parties differed, however, on how to read the Court's order. Rather than
2 seeking clarification or requesting a status conference, as the parties have done
3 before, L-W Auburn assumed it could move for summary judgment by the existing
4 deadline, while Hollingsworth supposed that such motions were not allowed.
5 Perhaps the Court could have been clearer. In denying the request for an enlarged
6 cross-summary judgment briefing schedule, the Court did not deny the right to file
7 cross-summary judgment motions altogether—to the contrary, such motions were
8 permissible, just on the standard 28-day briefing schedule prescribed by the Rules.
9 *See* LCR 7(d)(4); Chambers Procedure 5.8.

10 Now, L-W Auburn has filed a summary judgment motion, with corrections
11 and updates coming in drips and drabs, and Hollingsworth has forgone filing a
12 summary judgment motion and moved to strike L-W Auburn's motion. This is a
13 mess. So to clean things up, the Court relies on its inherent authority to manage its
14 docket and orders as follows:

15 The Court STRIKES the remaining case schedule deadlines set in Dkt. Nos.
16 40, 59. The Court also STRIKES L-W Auburn's amended motions for summary
17 judgment, Dkt. Nos. 78, 86, and Hollingsworth's motion to strike, Dkt. No. 83. The
18 Court ORDERS the parties to submit a proposed briefing schedule for cross-
19 summary judgment motions by no later than December 9, 2024. All dispositive
20 motions must be completely briefed and ready for the Court's consideration by no
21 later than January 17, 2025, under any proposed schedule.

1 The Court also sets the following trial date and related deadlines:

2 Settlement conference under LCR 39.1(c)(2) must be February 20, 2025
3 held no later than

4 All motions in limine must be filed by (*see* LCR 7(d)) March 12, 2025

5 Deposition Designations must be submitted to March 31, 2025
6 the Court by (*see* LCR 32(e))

7 Agreed pretrial order due March 31, 2025

8 Trial briefs, proposed voir dire questions, and April 7, 2025
9 proposed jury instructions must be filed by

10 Pretrial conference April 14, 2025

11 JURY TRIAL begins April 21, 2025

12 The Local Civil Rules set all other deadlines. If any of the dates identified in
13 this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or
14 event must be performed on the next business day.

15 If the scheduled trial date creates an irreconcilable conflict, counsel must
16 email Grant Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov
17 within 10 days of the date of this Order, explaining the exact nature of the conflict.
18 Failure to do so will be treated as a waiver. Counsel must be prepared to begin trial
19 on the date scheduled but should understand that trial may have to await the
20 completion of other cases (e.g., criminal cases).

21 If this case settles, the parties must notify Mr. Cogswell as soon as possible at
22 grant_cogswell@wawd.uscourts.gov. An attorney who fails to give prompt notice of
23 settlement may be subject to sanctions or discipline under LCR 11(b).

Dated this 5th day of December, 2024.

A handwritten signature in black ink, appearing to read "Jamal W", is written over a solid horizontal line.

Jamal N. Whitehead
United States District Judge